

Notice of Allowability

Application No.

10/041,906

Examiner

James A. Reagan

Applicant(s)

NUTTALL ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on filed on 07 October 2005.
2. ☒ The allowed claim(s) is/are 3, 7, 8, 11, 12, 15-18, 23-25, 29, 30, 33, 34, 37-40, 45-47, 5, 52, 55, 56, 59-64, 86, and 87.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Status of Claims

1. This action is in response to the amendment filed on 02 September 2005 and subsequent RCE filed on 07 October 2005.
2. Claims 3, 4, 7, 8, 15, 17, 18, 23-26, 29, 30, 37, 39, 40, 45-47, 51, 52, 59, 61-63, 65, 86, and 87 have been amended.
3. Claims 6, 28, and 50 have been canceled.
4. Claims 4, 26, and 65 have been cancelled by Examiner's amendment below.
5. Claims 3, 7, 8, 11, 12, 15-18, 23-25, 29, 30, 33, 34, 37-40, 45-47, 5, 52, 55, 56, 59-64, 86, and 87 are currently pending and have been examined.

Allowable Subject Matter

6. Claims 3, 7, 8, 11, 12, 15-18, 23-25, 29, 30, 33, 34, 37-40, 45-47, 5, 52, 55, 56, 59-64, 86, and 87 are allowed. See Reasons for Allowance under separate heading.

EXAMINER'S AMENDMENT

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

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8. Authorization for this examiner's amendment was given in a telephone interview with SANJEET DUTTA on 10 November 2005.

9. The application has been amended as follows:

- Cancel claims 4, 26, 65, 86, and 87.
- Replace completely the following claims as written:

Claim 3. A method comprising:

receiving a request for a product from a requesting node, the request received by a providing node;

providing the request from the providing node to an authorizing node;

receiving a permit from the authorizing node in response to the request, conveying a first electronic digital data in a first protected transfer to deliver the permit to the requesting node;

conveying a second electronic digital data in a second protected transfer to deliver a product to the requesting node identified by the permit;

preventing the requesting node from identifying the authorizing node;

receiving at least two reports from a plurality of reports during a time period wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report;

grouping reports into tuples of related reports;

determining whether a particular report is unmatched;

determining whether a particular tuple is incomplete; and

providing notice of a breach of security in accordance with at least one of whether the particular report is unmatched and whether the particular tuple is incomplete.

Claim 25. A system comprising:

means for receiving a request for a product from a requesting node, the request received by a providing node;

means for providing the request to an authorizing node;

means for receiving a permit from the authorizing node in response to the request;

means for conveying a first electronic digital data in a first protected transfer to deliver the permit to the requesting node;

means for conveying a second electronic digital data in a second protected transfer to deliver a product to the requesting node identified by the permit;

preventing the requesting node from identifying the authorizing node.

second means for receiving at least two reports from a plurality of reports during a time period, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report;

means for grouping reports into tuples of related reports;

means for determining whether a particular report is unmatched;

means for determining whether a particular tuple is incomplete; and

means for providing notice of a breach of security in accordance with at least one of whether the particular report is unmatched and whether the particular tuple is incomplete.

Claim 47. A method for reducing risk of unauthorized access to an electronic digital data product, the method comprising:

receiving a request for a product from a requesting system, the request received by a delivery system;

providing the request to an authorizing node;

- receiving a permit from the authorizing node in response to the request;
- conveying a first electronic digital data in a first protected transfer to deliver the permit to the requesting node;
- conveying a second electronic digital data in a second protected transfer to deliver a product to the requesting node identified by the permit;
- preventing the requesting system from identifying the authorizing node;
- receiving at least two reports from a plurality of reports during a time period, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report;
- grouping reports into tuples of related reports;
- determining whether a particular report is unmatched;
- determining whether a particular tuple is incomplete; and
- providing notice of a breach of security in accordance with at least one of whether the particular report is unmatched and whether the particular tuple is incomplete.

Reasons For Allowance

10. The following is an Examiner's statement of reasons for allowance:

None of the art of record, taken individually or combination, disclose at least the method steps of:

- receiving at least two reports from a plurality of reports during a time period, wherein the plurality of reports include a permit request report, a permit delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report;
- grouping reports into tuples of related reports;
- determining whether a particular report is unmatched;
- determining whether a particular tuple is incomplete; and
- providing notice of a breach of security in accordance with at least one of whether the particular report is unmatched and whether the particular tuple is incomplete.

More specifically, the prior art of record fails to disclose at least two of the aforementioned reports being received and based on the disposition of the reports, detecting a breach of security.

Independent claims 3, 25, and 47 are distinguished over the closest prior art of Wiser which discloses an online music distribution system, permits in the form of authorizations, tokens, and PKI, as well as delivering the digital file (column 4, lines 13-28), and over Clawson, who discloses tuples (column 12, lines 50-54), and generating reports (column 16, lines 31-41). As recited in independent claims 3, 25, and 47, it is clear that the Applicant's invention is distinguished over the inventions of Wiser and Clawson in at least the method steps shown above. Although Wiser and Clawson in combination do disclose some features of the Applicant's invention, Wiser/Clawson do not disclose receiving at least two reports from a plurality of reports during a time period, wherein the plurality of reports include a permit request report, a permit

delivery report, a product delivery request report, a product delivery commencement report, and a product delivery completion report.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Schuba, Christoph L. and Eugene H. Spafford. A Reference Model for Firewall Technology. COAST Laboratory Department of Computer Sciences Purdue University discloses techniques for providing computer security. 1997.
- Rule Generation Device For Utilizing A Software Component by Mihoko Kishi and Koichi Kachi, 30 March 1990, discloses "...automatically formulating, by using formal language...restriction script texts."

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **James A. Reagan** whose telephone number is **571.272.6710**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **571.272.6712**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

571-273-8300 [Official communications, After Final communications labeled "Box AF"]

571-273-8300 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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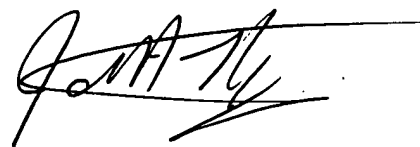
Alexandria, VA 22314.

JAMES A. REAGAN

Primary Examiner

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23 November 2005

A handwritten signature in black ink, appearing to read 'J. A. Reagan', with a horizontal line drawn through it.